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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,905	03/31/2004	Jun Hyung Park	LT-0056	4976
34610	7590	08/21/2007	EXAMINER	
KED & ASSOCIATES, LLP			BAE, JI H	
P.O. Box 221200			ART UNIT	PAPER NUMBER
Chantilly, VA 20153-1200			2115	
MAIL DATE		DELIVERY MODE		
08/21/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/812,905	PARK ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ji H. Bae	2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 29 May 2007.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Response to Arguments***

Applicant's arguments, see applicant's remarks, pp. 8, filed on 29 May 2007, with respect to the rejection(s) of claim(s) 1-23 under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of prior art cited in the prior office action, but not applied towards the original grounds of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 4, 6, and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Yen et al., U.S. Patent No. 6,711,004 B2. The Yen reference has a filing date of May 8, 2002, and was cited in the previous office action, but not applied towards the rejection.

Regarding claim 1, Yen teaches:

a portable computer unit [Fig. 2, notebook computer] having a configuration that allows a system mode to be switched between a notebook computer mode and a tablet computer mode [Fig. 10]; and

a controller configured to determine the configuration of the portable computer unit [col. 6, lines 28-34, control switches 31 and 41] responsive to a system power supply of the portable

computer being turned on [col. 3, lines 1-16, computer is activated and status of first/second switches are checked], wherein the controller operates an application program for the tablet computer mode or the notebook computer mode according to the determination [col. 3, lines 1-6, applications operated in tablet/notebook mode, col. 6, lines 65-67, simulating a PDA].

Regarding claim 3, Yen teaches a portable computer with a display module whose rotation state allows the system mode to be switched between the notebook mode and tablet mode [Fig. 2, 4, 5, and 10].

Regarding claim 4, Yen teaches a detector coupled to the controller and configured to detect the rotation state of the display module, wherein the detector comprises:

    a rotation detection switch based upon a mechanical contact [Fig. 6 and 7, sensing switch and sensor, col. 5, lines 55-57, touch actuated, Fig. 8]; and  
    a first controller configured to detect and on/off state of the rotation detection switch [Fig. 6 and 7, processing center].

Regarding claim 6, Yen teaches that the first controller is a BIOS [Fig. 6 and 7, BIOS 622].

Regarding claim 9, Yen teaches that the controller determines a physical configuration of the portable computer unit [tablet or notebook mode, based on screen position and switch actuation].

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 7, 8, are rejected under 35 U.S.C. 103(a) as being unpatentable over Yen in view of Du et al., U.S. Patent Application Publication No. 2003/0188144 A1. The Du reference has a filing date of March 28, 2002 and was cited in the previous office action, but not applied towards the rejection.

Regarding claim 2, Yen teaches a computer system capable of operating in either a notebook mode or tablet mode, and operating an application program in the notebook mode or tablet mode accordingly, but does not explicitly teach loading a different OS corresponding to a table mode or a notebook mode.

Du teaches a computer system that is capable of operating in either a normal PC mode or a personal digital assistant (PDA) mode. The system of Du loads a different OS depending on which mode is desired [Fig. 5, MiniOS and Windows, paragraph 18].

It would have been obvious to one of ordinary skill in the art to combine the teachings of Yen with Du by modifying Yen to load a different OS for tablet/PDA mode and notebook mode, as taught by Du. Both Yen and Du teach computer systems capable of operating in either a normal PC mode and a PDA mode, with the tablet configuration of Yen providing a PDA functionality. Du teaches that the MiniOS for PDA functionality can be booted much more quickly than the full OS for normal PC functionality [paragraph 19]. Therefore, the motivation to combine Du with Yen comes from Du's teaching that a smaller OS for PDA functionality would be advantageous over booting a standard OS to access PDA functionality. The reduced boot times would make Du's MiniOS preferable to booting a standard OS for PDA mode. In combining Du with Yen, the MiniOS would be booted upon determining that the computer is operating in a tablet mode, since the tablet mode of Yen is used to access PDA functionality.

Regarding claims 10-15, Yen/Du teaches the apparatus with means to accomplish the functionality of the portable computer recited in claims 1-9.

Regarding claims 16-20, Yen/Du teaches the method implemented by the portable computer of claims 1-9.

Regarding claims 21-23, Yen/Du teaches a machine-readable storage medium with instructions for carrying out the functionality of the portable computer system recited in claims 1-9.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ji H. Bae whose telephone number is 571-272-7181. The examiner can normally be reached on Monday-Friday, 10 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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